

**ENTERED**

December 10, 2015

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL ACTION NO. 2:15-CR-939
	§	
ROBERTO JOSHUA TREVINO	§	

**ORDER REVOKING BOND**

On September 30, 2015, Defendant was released on a \$30,000 unsecured bond. (D.E. 9, 10). On November 23, 2015, the Defendant pleaded guilty before the undersigned Magistrate Judge to transporting an undocumented alien in violation of Title 8, United States Code, Section 1324, as alleged in count one of the indictment. (D.E. 20). The defendant was allowed to remain on bond pending sentencing. Senior United States District Judge Janis Graham Jack accepted the plea of guilty on December 8, 2015. (D.E. 25). Sentencing is set for January 28, 2016.

Pending is a Petition for Action on Conditions of Release. (D.E. 22). This matter was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636. The defendant filed a waiver of the show cause hearing requesting the bond to be rescinded. (D.E. 26). Rescinding the bond would have the effect of placing the defendant in custody, vacating the bond and preventing the Government from seeking the forfeiture of the bond.

A show cause hearing was held on December 10, 2015 before the undersigned at which the defendant, defense counsel and counsel for the Government appeared in

person. The Government was opposed to the defendant's request to rescind the bond. The Government presented evidence that the defendant submitted a urine specimen on November 6, 2015 which tested positive for cocaine and marihuana. Further, United States Pretrial Services Officer Eloy Rivas testified the defendant's travel is restricted to the Southern District of Texas and that the defendant admitted to traveling to San Antonio while on pretrial release without permission. The defendant told his pretrial officer he did not think he needed permission to travel to San Antonio. The defendant later stated that he went to Pleasanton, not San Antonio. The defendant's travel to Pleasanton would also be a violation of his travel restriction because Pleasanton is in Atascosa County which is in the Western District of Texas.


Having considered the evidence and arguments of counsel, the undersigned finds the defendant violated the conditions of his release as alleged in the petition by using and unlawfully possessing cocaine and marihuana and traveling outside the Southern District of Texas. The undersigned further finds the defendant is unlikely to abide by conditions of release if allowed to remain on bond.

IT IS ORDERED that the defendant's bond is revoked. The undersigned denies defendant's request to rescind his bond. If the Government seeks to forfeit the defendant's bond, the Government shall file that motion before the District Court.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation

with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 10th day of December, 2015.

  
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Jason B. Libby  
United States Magistrate Judge